

Notice of Allowability

Application No.

10/670,892

Examiner

David D. Le

Applicant(s)

PARK, JONG SOOL

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment after final dated 21 June 2005.
2. ☒ The allowed claim(s) is/are 1,3-6 and 8-12.
3. ☒ The drawings filed on 24 September 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. This is the third Office action on the merits of Application No. 10/670,892, filed on 24 September 2003. Claims 1, 3-6, and 8-12 are pending.

Documents

2. The following documents have been received and filed as part of the patent application:
 - Information Disclosure Statement, received on 09/24/03
 - Foreign Priority Document, received on 09/24/03
 - Certified Translation of Foreign Priority Document, Korean Application No. 2002-0076294, received on 06/21/05

EXAMINER'S AMENDMENT

3. An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on 01 July 2005, applicant's attorney, Nancy I. Sya, requested an extension of time for 1 MONTH(S) and authorized the Director to charge Deposit Account No. 50-0310 (order no. 060944-0134-US) the required fee of \$120.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 6:

- Line 9, “the seventh operational element” has been amended as --a seventh operational element--.

Allowable Subject Matter

4. Claims 1, 3-6, and 8-12 are allowed.
5. The following is an examiner’s statement of reasons for allowance:

Claim 1:

The prior art of record fails to show or render obvious an arrangement of the claimed powertrain comprising a first planetary gear set, a second planetary gear set, a third planetary gear set, three clutches, two brakes, and one stationary member, as recited in the claim; specifically, wherein the arrangement of the claimed powertrain includes:

- The first operational element is fixedly connected to the fourth operational element and always receives an input torque;
- The second operational element is fixedly connected to the ninth operational element and always outputs an output torque;
- The third operational element is variably connected to the eighth operational element via a second clutch;
- The fifth operational element is always stationary;
- The sixth operational element is variably connected to the seventh operational element via a first clutch;

- The seventh operational element is subject to a stopping operation of a second brake; and
- The eighth operational element is variably connected to an input shaft via a third clutch and is subject to a stopping operation of a first brake.

Claim 6:

The prior art of record fails to show or render obvious an arrangement of the claimed powertrain as recited in the claim; specifically wherein the arrangement of the claimed powertrain includes:

- A first operational element is fixedly connected to a fourth operational element, and configured to always received an input torque;
- A second operational element is fixedly connected to a ninth operational element and configured to always output an output torque;
- A third operational element is variably connected to an eighth operational element via a second clutch;
- A sixth operational element is variably connected to a seventh operational element via a first clutch;
- A fifth operational element is configured to be stationary;
- The eighth operational element is variably connected to an input shaft via a third clutch and is subject to a stopping operation of a first brake; and
- The seventh operational element is subject to a stopping operation of a second brake.

Note:

Examiner interprets the first through ninth operational elements as elements of the three disclosed planetary gear sets.

Claim 9:

The prior art of record fails to show or render obvious an arrangement of the claimed powertrain comprising a first planetary gear set, a second planetary gear set, a third planetary gear set, an input shaft, and an output shaft, as recited in the claim; specifically, wherein the arrangement of the claimed powertrain includes:

- The first sun gear is fixed to the second sun gear;
- The first pinion carrier is fixed to the third ring gear;
- The first ring gear is variably connected with the third pinion carrier;
- The second pinion carrier is always stationary;
- The second ring gear is variably connected with the third sun gear;
- The input shaft is fixed to the first and second sun gears, and variably connected with the third pinion carrier; and
- The output shaft is fixed to the first pinion carrier and the third ring gear.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Le whose telephone number is 571-272-7092. The examiner can normally be reached on Mon-Fri (0700-1530).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


ddl


CHARLES A. MARMOR
SUPERVISORY PATENT EXAMINER
ART UNIT 3681